UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,132	03/10/2004	Akihiro Mizutani	043118-0143	2059

22428   7590   02/24/2009
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EXAMINER
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ART UNIT	PAPER NUMBER
2432	

MAIL DATE	DELIVERY MODE
02/24/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _19 December 2008_.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-12 and 17-24_ is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) _1-12 and 17-24_ is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. _____.
    3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _9/10/2008_.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 19 December 2008 has been entered.

Response to Amendment

2.   Applicant's amendment filed 19 December 2008 amends claims 1 and 7. Applicant's

amendment has been fully considered and entered.

Response to Arguments

3.   Applicant argues, "Although Bertram may disclose a personalization desktop presented

to a user, this reference fails to disclose, teach or suggest the mode switching section, *at the*

same time when a user is authenticated in the user authentication section, <ins>logs in a network</ins>

<ins>and predetermined server connected to the network by means of the authenticated ID</ins>

<ins>information so as to enable the processing of the server</ins> as now required by independent claims

1 and 7." This argument is not persuasive because Bertram discloses that the personalized

desktop information is retrieved from a server utilizing login information (Col. 10, lines 24-57).

4.   Applicant argues, "The ordinary artisan would not have had a level of skill sufficient to

render the invention obvious to that ordinary artisan…before the disclosure of the present

invention, the ordinary artisan would not have had the skill to predict that the features of

Seroussi could be modified in accordance with Bertram as is asserted in the Office Action." In

response, the Examiner would like to point out that the Applicant has failed to provide any actual

evidence supporting this allegation. Instead, it is apparent that an ordinary artisan, at the time of

present invention, would have had sufficient knowledge and skill level to implement the

proposed modification because user specific environments described in Bertram were present in

Windows NT 3.1 more than ten years before the effective filing date of the present invention.

5.   Applicant argues, "the PTO has not properly articulated a reason for why one with

ordinary skill in the art would combine the teachings of Seroussi and Bertram." This argument is

not persuasive because paragraph 7 of the previous Office action clearly states that "It would

have been obvious to one of ordinary skill in the art at the time the invention was made for the

access control system of Seroussi to provide a personalized desktop to an authenticated user in

the manner described in Bertram so that the user may logon from any machine in the network

and have his or her "desktop" the same, irrespective of the particular machine from which the

logon is effected as taught by Bertram (Col. 10, lines 15-19)" and that "It would have been

obvious to one of ordinary skill in the art at the time the invention was made for the terminals of

Seroussi to display a log-in panel on the terminals when users have been logged off and the

terminal enters a ready mode so that users will know that the terminal can be logged into as

taught by Bertram (Col. 4, lines 44-49)." Applicant has failed to point out why this rationale is

deficient.

Claim Rejections - 35 USC § 112

6.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making
> and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it
> pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode
> contemplated by the inventor of carrying out his invention.

7.   Claims 1-12, 17-24 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply

with the written description requirement. The claim(s) contains subject matter which was not

described in the specification in such a way as to reasonably convey to one skilled in the relevant

art that the inventor(s), at the time the application was filed, had possession of the claimed

invention. The specification does not support the logging in a network and predetermined server

connected to said network by means of the authenticated ID information so as to enable

processing of said server, at the same time as the switching of the operation mode. The

specification briefly discusses a mail server utilizing the id of an authenticated user to display

"urgent" email messages to the authenticated user. However, the specification is silent with

respect to this operation being done at the same time the operation made is switched. Clearly,

this operation could be performed subsequent to the operation mode switching. Additionally, the

specification does not disclose logging in a network as claimed.

Claim Rejections - 35 USC § 103

8.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

9.   The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459

(1966), that are applied for establishing a background for determining obviousness under 35

U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.

     4.   Considering objective evidence present in the application indicating obviousness
            or nonobviousness.

10.   Claims 1-12, 17, 20, 21, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Seroussi, U.S. Patent No. 6,836,843, in view of Bertram, U.S. Patent No. 5,948,064.

Referring to claims 1, 7, Seroussi discloses an access control system using badge personal

identification wherein when a user with a personal identification badge approaches a computer

having a display (Figure 1, 11 & 12), the badge detects login signal that is periodically sent out

by the computer (Col. 6, lines 46-52), which meets the limitation of a display section for

performing a screen display. The badge transmits a user id, stored on the badge, to the computer

(Col. 8, lines 35-37). The computer receives the user id and authenticates the user for access by

comparing the user id with a list of authorized ids (Col. 7, lines 50-59 & Col. 8, lines 39-44, 54-

59), which meets the limitation of a user authentication section that acquires ID information to

identify each user from among a plurality of users, and performs user authentication based on

said ID information. The badge also contains user permissions used by the computer when user

is provided access to the system (Col. 4, lines 40-46), which meets the limitation of a personal

operation mode to permit each user to operate individually. If the authorized user is physically

away from the computer for a predetermined period of time, the computer logs the user off, and

enters a ready mode (Col. 9, lines 12-21) that allows for a new user to login to the computer in

same manner as the other user (Col. 6, lines 9-13, 46-52), which meets the limitation of an

operation mode setting section that can selectively set, as an operation mode that sets a work

environment for operation inputs, between an personal operation mode to permit each user to

operate individually and a public operation mode to permit an indefinite number of users to

operate, a mode switching section that, when a user is authenticated in said user authentication

section, switches said operation mode from said public operation mode into said personal

operation mode for the authenticated user, wherein when a user has been away from the image

processing apparatus for a predetermined time or more, while being in the personal operation

mode, the mode switching section switches the operation mode from the personal operation

mode into the public operation mode. Seroussi does not disclose that the user is provided with a

personalized display on the computer once authenticated. Bertram discloses a typical Windows

NT operating system that provides a user with a personalized desktop once logged into a

computer system based on user profile information (Col. 10, lines 6-23 & Figure 9), which meets

the limitation of a personal information processing section that performs the processing of

personal information relevant to the users corresponding to said ID information acquired by the

user authentication section, wherein, in a personal operation mode, an operation screen is

displayed for a user whose personal information has been processed by the personal information

processing section, and wherein the operation screen displays information related to the personal

information processing section. The personalized desktop information is retrieved from a server

utilizing login information (Col. 10, lines 24-57), which meets the limitation of at the same time,

logs in a network and predetermined server connected to said network by means of the

authenticated ID information so as to enable the processing of said server. It would have been

obvious to one of ordinary skill in the art at the time the invention was made for the access

control system of Seroussi to provide a personalized desktop to an authenticated user in the

manner described in Bertram so that the user may logon from any machine in the network and

have his or her "desktop" the same, irrespective of the particular machine from which the logon

is effected as taught by Bertram (Col. 10, lines 15-19). Seroussi does not specify a displayed

representation when the computer logs off the user and enters a ready mode (Col. 9, lines 12-21) that allows for a new user to login to the computer in same manner as the other user (Col. 6, lines 9-13, 46-52). Bertram discloses presenting a panel on the terminal display for logging into the terminal (Figure 15 & Col. 4, lines 44-49), which meets the limitation of displays on the display section, a screen representation to accept operation inputs by an indefinite number of users. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the terminals of Seroussi to display a log-in panel on the terminals when users have been logged off and the terminal enters a ready mode so that users will know that the terminal can be logged into as taught by Bertram (Col. 4, lines 44-49).

Referring to claims 2, 8, Seroussi discloses that if the authorized user is physically away from the computer for a predetermined period of time, the computer logs the user off, and enters a ready mode (Col. 9, lines 12-21) that allows for a new user to login to the computer in same manner as the other user (Col. 6, lines 9-13, 46-52), which meets the limitation of said mode switching section switches said operation mode from said personal operation mode into said public operation mode based on a prescribed condition with the state that a current operation mode is set to said personal operation mode.

Referring to claims 3, 9, Seroussi discloses that once logged in the user badge receives challenges from the computer that includes a counter and random number (Col. 9, lines 1-12). The badge responds to the challenge with an incremented counter value and the random number (Col. 9, lines 21-26), which meets the limitation of ID information because the counter/random number combination is sufficient to identify the user whom the challenge was initially sent. If the computer does not receive a challenge within a predetermined period of time, the computer logs

the user off, and enters a ready mode (Col. 9, lines 12-21) that allows for a new user to login to

the computer in same manner as the other user (Col. 6, lines 9-13, 46-52), which meets the

limitation of when ID information is not required for a period of time longer than a

predetermined time in said user authentication section, said mode switching section switches said

operation mode from said personal operation mode into said public operation mode with the state

that a current operation mode is set to said personal operation mode.

     Referring to claims 4, 10, Seroussi discloses that if the authorized user is physically away

from the computer for a predetermined period of time, the computer logs the user off, and enters

a ready mode (Col. 9, lines 12-21) that allows for a new user to login to the computer in same

manner as the other user (Col. 6, lines 9-13, 46-52), which meets the limitation of a human body

detection section that detects a user located in the vicinity of said image processing apparatus,

wherein when a human body has not been detected by said human body detection section for a

period of time longer than a predetermined time, said mode switching section switches said

operation mode from said personal operation mode into said public operation mode with the state

that a current operation mode is set to said personal operation mode.

     Referring to claims 5, 11, Seroussi discloses that the badge also contains user permissions

used by the computer when user is provided access to the system (Col. 4, lines 40-46), which

meets the limitation of a setting information acquisition section that acquires setting information

associated with each user, wherein said operation mode setting section sets said personal

operation mode based on said setting information associated with the user authenticated in said

user authentication section.

Referring to claims 6, 12, Seroussi discloses that the badge transmits a user id, stored on the badge, to the computer (Col. 8, lines 35-37). The computer receives the user id and authenticates the user for access by comparing the user id with a list of authorized ids (Col. 7, lines 50-59 & Col. 8, lines 39-44, 54-59), which meets the limitation of said ID information cooperates with login IDs in a network that can be connected to said image processing apparatus, wherein said personal information processing section that performs the processing of personal information relevant to the users corresponding to said ID information existing on said network based on said ID information.

Referring to claims 17, 20, 21, 24, Bertram discloses that the system utilizes the Windows NT operating system (Col. 2, lines 28-30) whose email is handled by Outlook. Outlook provides email messages such that urgency and whether or not the message has been read or indicated, which meets the limitation of the personal information processing step comprises an urgent information processing step that acquires one or more communications to the user that are characterized as urgent, and wherein the operation screen displays a subscreen related to the urgent information processing section, the personal information processing section comprises an unread information processing section that acquires one or more communications that have been characterized as unread with the authentication of the ID information of the user, and wherein the operation screen displays a subscreen related to the unread information processing section.

11.   Claims 18, 19, 22, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seroussi, U.S. Patent No. 6,836,843, in view of Bertram, U.S. Patent No. 5,948,064 as applied to claims 1, 7 above, and further in view of Rapp, U.S. Patent No. 6,400,997. Referring to claims 18, 19, Seroussi does not disclose providing the user with schedule and time management

information. Rapp discloses a system that provides managers with access to employee

information such as scheduling, and time records (Col. 1, lines 39-48), which meets the

limitation of the personal information processing section comprises a schedule information

processing section that acquires one or more schedules associated with the ID information of the

user, and wherein the operation screen displays a subscreen related to the schedule information

processing section, the personal information processing section comprises a time record

information processing section that manages arrival and departure information of one or more

employees in a time record management server in cooperation with the ID information of the

user, and wherein the operation screen displays a subscreen related to the time record

information processing section. It would have been obvious to one of ordinary skill in the art at

the time the invention was made for the system of Seroussi to provide the authenticated user with

employee information in order to allow employees to enter all types of data into an easily

accessible system that collects, processes and stores data in a central location which is also easily

accessible from various locations within or remote from a facility as taught by Rapp (Col. 1,

lines 40-44).

Conclusion

12.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to BENJAMIN E. LANIER whose telephone number is (571)272-

3805. The examiner can normally be reached on M-Th 7:00am-5:30pm.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Benjamin E Lanier/
Primary Examiner, Art Unit 2432